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KANSAS CONTROVERSY.

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SPEECH



OF

HON. GEORGE W.<sup>advice</sup> JONES, OF IOWA,  
*11<sup>th</sup>*

DELIVERED

IN THE SENATE OF THE UNITED STATES, APRIL 16, 1856.

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## KANSAS CONTROVERSY.

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**The PRESIDENT.** The question is on the motion of the Senator from Iowa [Mr. JONES] to reconsider the vote postponing until Monday next the bill (S. No. 172) authorizing the people of Kansas Territory to form a constitution and State government when they have the requisite population.

**Mr. JONES, of Iowa, said:**

**Mr. PRESIDENT:** An imperative duty urges me for the first time during the period of my service as a member of the Senate, to tax its patience by attempting more than a few brief remarks upon matters immediately connected with my public and official duties. And permit me to say, I now regret that circumstances have impelled me to deviate somewhat from the rule which I have hitherto imposed upon myself, for the reason that upon subjects of a general import, I have always found Senators better informed than myself, or more able to present the views we hold in common, than I could pretend to be. My colleague, on the 27th of last month, gave to the Senate his views upon the affairs in Kansas, and the various considerations arising therefrom;—those views have been laid before the people of the Union; they do not reflect the opinions nor the feelings of a large majority of the citizens of the State of Iowa; and therefore I have conceived it to be my duty to attempt, in a plain way, to refute and exhibit the fallacy of his statements and views, and present what I conceive to be a more correct exhibition of the opinions of the people of Iowa than he has given; and in doing this I trust I shall not depart from a becoming deference to the erudition of my colleague as a professor of natural science, a theologian, and a lawyer, in all of which capacities he has distinguished himself; and has, in a contest like that which now occupies the Senate, a decided advantage over me—unless, indeed, my disadvantages are more than made equal by the truth and justice of the side which I have espoused.

After indulging in an expression of his opinion relative to the conduct of the President, and the manner in which he has discharged his duties touching the disturbances in Kansas, my col-

league presents a very partial view of the cause which produced those disturbances. It is not incumbent upon me to attempt, in this place, to reply either to his opinions of the President, or to his impressions of the occurrences in Kansas—both his opinions and impressions, I am sorry to say, seem to have been produced by improper excitement, by prejudice, or by an inordinate desire to build up a sectional party opposed to the national Democracy of the Union; but, whatever may have produced them, I will leave them to the operation of time and facts, and such conscientious investigation as my colleague may find leisure to make in his future public career.

The President and the Kansas disturbances having been disposed of by my colleague, to his entire satisfaction, he in the next place proceeds to prove, by a tremendous array of historical facts, that the Congress of the United States possesses, constitutionally, legally, and necessarily, complete and sovereign power to legislate for the local matters and wants of all citizens who may become residents upon the territory of the Union; and, moreover, that having this undoubted power, it is the imperative duty of Congress to exercise it immediately for the sole purpose of excluding all who own slaves, and preventing our fellow-citizens of the southern States from emigrating to Kansas, and taking with them their negro servants—and thus, as he says, preventing the shedding of blood and civil war among the present occupants. The facts adduced to show, or for the purpose of showing, that this power is lodged in the Congress of the United States, I have designated as tremendous, not because of their weight, but in consequence of the vast space they occupy in the Globe—I mean the Globe of Mr. John C. Rives. If the facts, quotations, and occasional argument of my colleague upon this portion of the subject are to be estimated by their length, they may be truly termed tremendous, and he must be a patient man who will even attempt to allude to them *seriatim*. I cannot venture upon the task; yet I will try to dispose of my colleague's argument in a plain, brief, and practical manner.

The labors of my colleague to sustain the important power which he claims for Congress, consists in collecting the captions and dates of the acts that have been passed from time to time, giving to the people of the several Territories a form of territorial government; and he infers, from the fact that these acts have been passed, and that they have contained, sometimes, provisions relative to negro bondage, that Congress has full power to legislate for the people of the Territories "*in all cases whatsoever.*" Indeed, my colleague claims for the General Government, or for Congress, greater powers than were even dreamed of by the most ultra Federalist that lived in the days of the elder Adams. That I may not be charged with injustice towards him, I will quote from his published speech:

"The Government of the United States acquired all her rights in" "the Floridas from Spain; in the Louisiana Territory from France. The United States was the successor of each of these. Whatever the original sovereign of each of these might have done within its limits, while a part of his dominions, might be done by his successor."

Again, speaking of Louisiana Territory, he says:

"It was a part of the dominions of France; she was its absolute sovereign. Hence the Government of the United States must have succeeded to the same unrestricted rights; and may hold, exercise, and enjoy them, until she chooses to confer them on another sovereignty. If France, previous to the cession, could have excluded slavery from Kansas and Nebraska, this Government may do so now."

It will be seen from these quotations that my colleague has completely *ignored* the Constitution of the Republic, which limits and defines the power of the Government and Congress over all, both people and property, persons and things. I do not feel that it is necessary to comment upon the novel political doctrine of my colleague—its bare enunciation to all who have read the Constitution of our country, or who are imbued with the spirit of our free institutions, is its refutation; and I am at a loss to conceive by what process of reasoning my colleague has persuaded himself that all the powers possessed by Spain and France over Florida and Louisiana could be exercised by the Government of the United States over both *people* and property, on their cession, and during the period they remained as Territories. Can a monarchy, a despotic power, confer upon our Government, regulated by a written Constitution, monarchical and despotic powers over a Territory, by the mere cession thereof for an equivalent? The question seems absurd; and yet my colleague would appear to give an affirmative answer, and to deny the fact that the Constitution of our country immediately covers and protects from despotic power the territory and the people which may be annexed to our Republic, either by purchase or by war.

Mr. President, I deny that the five columns of references, &c., made by my colleague to the legislation of Congress on the subject of Territorial governments, furnish evidence of that plenary power which he claims for this body to legislate for the citizens of the United States who may settle within the Territories—his chronological array of the statutes organizing forms of government for the citizens of the Territories, serves but

to show the periods at which the National Legislature answered the wishes, the petitions, or the memorials of the people of the several Territories asking for those forms. But my colleague appears to have persuaded himself that a compliance, on the part of Congress, with these wishes or memorials, is a sufficient evidence of its power to do, here in Washington, all the needful legislation for the people of the Territories. Now, sir, the entire history of all the Territories shows that the Congress of the United States has never assumed the power of interfering with the right, and the exercise of self-government by the citizens residing in the Territories, and conforming to the Constitution and the general laws of the Republic. Perhaps, however, I should not say that Congress has *never* interfered with this right of self-government, for there is a single exception—one that has entailed embarrassments upon our country, and which impartial history will point at as one of the gravest and most dangerous errors which has so far marked the career of this Heaven-favored land. I allude to that provision of the law of 1820, called the Missouri compromise—an interference uncalled for, unwished for by the people of Missouri, or by the citizens of any other Territory—an assumption of power not given by the Constitution to Congress, either directly or by implication, and the exercise of which was an infringement upon the rights which one half the States of the Union had, as joint owners, in the vast territory ceded to this Republic by France—an infringement and a wrong of too long standing—a usurpation of power too long unacknowledged by the National Legislature—an injury and an unconstitutional assumption, unredressed and persevered in, until the passage of the Kansas-Nebraska bill.

I repeat, Mr. President, the Congress of the United States has not attempted to legislate for the local wants of the people in the Territories, but has left that legislation to the people themselves, even when they were without the usual form of government prescribed or framed by Congress on their petitions. And, sir, it is in my power to present to the Senate times and circumstances when, if Congress had the power and the right to interfere, it became its imperative duty to do so, and pass laws for the local government of the people of the Territory of Iowa. I allude to the period embraced by the years 1833-'34, and '35. In 1832 the Indian country, embracing the lead region of Dubuque, was ceded to the United States by the Indians claiming it, and the treaty with them was ratified during the following session of Congress. Previous to this period the citizens of the United States were prevented from settling in the Territory. Some attempted it for the purpose of mining, but, on the complaints of the Indians, the intruders were removed by a military force, under the command of the present able Secretary of War, then a lieutenant in the United States Army, who performed the delicate and responsible duty in a manner so appropriate and conciliatory, that to this day he is held in grateful remembrance by all the old pioneers then in that portion of the country. In June, 1833, Iowa was opened to our citizens, and the industrious miners and farmers were invited to try their fortunes in the new region. In a few months, the spot on which now stands the beautiful and

prosperous city of Dubuque, and the adjacent hills and valleys, contained a host of strong, hardy, and enterprising men. The population, in three months from the time the country was opened to the settlers, numbered two or three thousand; and yet, sir, these citizens were destitute of a form of government—destitute of a judiciary—destitute of all law for the punishment of crimes, or for the regulation of business between man and man, save what they themselves made as their necessities and circumstances demanded, and which they did make by and through their right of self-government as a community of American citizens.

On the approval or ratification of the treaty with the Indians, Congress had neglected to attach the ceded country, for judicial purposes, to any adjoining State or Territory where a judiciary existed; and the nearest judicial power consequently refused to take cognizance of crimes committed in Iowa. There were, at that time, some bad and desperate men among the people, who believed that in the absence of a government, and the restraints of statute law, they could safely indulge their wayward passions. In their quarrels they shed the blood of good and peaceful citizens; and to insure safety to the well-disposed, and to punish the criminal, the people resorted to their inherent right of self-government. They elected judges, and the necessary officers to execute the law. The usual forms for the trial of the accused were adhered to; the usual punishment awarded to the willful murderer was administered; and I have never yet heard from any person who was conversant with the occurrences in those times, an opinion adverse to the right of the people to do what they found it necessary to do for the sake of peace and security. This state of things continued for two or three years—was known from one end of the Union to the other—and yet the Congress of the United States could not discover that it had any power to legislate for the local wants of the people of Iowa; and for the plain reason, as we may well suppose, that the power could not be found in the Constitution which each Senator and Representative had bound himself by oath to support, and that it was, therefore, among those powers which remained with the people. It cannot be shown that Congress, in a single instance, has imposed upon the people of a Territory a form of government adverse to their wishes, their petitions, or their interests. On the contrary, these forms have been given in accordance with their wishes, and often upon their urgent petitions; and always in aid of the exercise of that very right of self-government which my colleague denies to them.

It would seem that every Congress which has been elected since the adoption of the Constitution has, with a single exception, avoided the assumption of the power to legislate for the local wants of the people settled upon the territory of the Union; and it may also be safely maintained, that no American citizen, residing in any of the Territories, ever believed that the Congress of the United States possessed the power to regulate anything more than the disposition of the public lands and other public property within the boundaries of the Territory in which he had fixed his residence; he never believed that Congress had the power to regulate him, or to tax him for any

local purpose whatever; to pass laws for the collection of debts, for the punishment of offenses, for the building of school-houses, &c., &c.; all power for the regulation of these matters he knows and feels to be in himself—deposited or left with him by the Constitution of our common country. Even during what was termed the first grade of territorial government under the ordinance of 1787, the people residing in the then extensive Territory of Michigan did not feel that they were deprived of any of the benefits or rights which they could have enjoyed from the most free exercise of self-government which the Constitution of our country guarantees. Practically they had all those benefits; for the Governor and judges, in whom was lodged the legislative power of the country, made it a rule to conform to the wishes and wants of the people in the adoption of laws; and so well satisfied were they with their condition, that in 1818 or 1819, when they met at Detroit in mass meeting to consider the expediency of entering into the second grade of territorial government, a considerable majority was found opposed to the measure. When any provision of law, found in the statutes of any of the States, was deemed by the people to be necessary for their well-being, they embodied it in a petition, and asked its adoption with a certainty of the success of their application.

A year or two after their first meeting the people again assembled at Detroit to consider their form of government. A debate occurred, which extended to considerable length, upon the question, whether they should or should not proceed to elect a legislative body without the intervention of Congress, or without first memorializing Congress for a form of government. The question was decided by a vote in favor of the latter course, and on the ground, mainly, that, by obtaining an organic act from Congress, the people of the Territory would avoid the expense of maintaining their Legislature; a burden which, at that time, they did not feel willing to assume. But, as I am well informed, no citizen who took a part in the debate questioned the right of the people to proceed without the intervention of Congress. I might also direct the attention of my colleague to the history of Oregon, for the purpose of showing him the fallacy of his opinions relative to the rights and powers of American citizens in the Territories of the Union, and how widely their views upon that subject differ from his own. He will find that the citizens of that Territory had a law-making power, and the other attributes of a government for two or three years before they asked of Congress an organic act. But the records of Congress do not exhibit a resolution or a speech calling in question this proceeding of the people of Oregon.

Mr. President, if it be true that American citizens are not deprived of the right of self-government by becoming residents in our Territories—if the Constitution has withheld from Congress the power to enact laws to regulate their internal, local, and domestic affairs, and has left that power with the people, then the Kansas-Nebraska act is a just and necessary law, whatever may be the result of its passage to the country—to the able and patriotic men who have taken the lead in bringing it forward, and supporting its principles—or to those, whatever may be their object, who

have waged war against it. Having passed many years of my life in the Territories of the Union, I long ago adopted the principles of that act; and cannot sufficiently express my astonishment that my colleague, who has been favored with opportunities to discover the impracticability, not to say impossibility, of a practical demonstration of his doctrines against those principles, should have deemed it incumbent upon him to present views to this honorable body so hostile to the spirit of our free institutions, and so much opposed to the sentiments of the liberal people of the State we represent.

Mr. President, there is another topic upon which my colleague deemed it his duty to expatiate largely, and in doing so, misrepresented, as I conceive, the opinions and feelings of a large majority of the people of Iowa. In a labored argument he has endeavored to prove, and perhaps has convinced himself, that the negro race have all the physical and mental attributes of the white man; and that those attributes have only been depressed and remained undeveloped by the long period of servitude to which the race has been subjected. This conclusion of my colleague seems to have been attained by a careful examination of the negro's physical characteristics; and he has presented several facts on which he grounds his belief of the negro's mental qualities, the existence of which cannot be doubted, while their value as evidences of the mental capacity of the African race may well be questioned. My colleague has ascertained, and he asserts, with all the gravity of full conviction, that the negro, in common with the white man, loves to eat food and to masticate it; that he loves to smell fragrant odors; that he likes to touch things which give him pleasure in touching; that he likes to look on beautiful things, and hear good music; that the negro has love, hope, fear, and hate; envy, jealousy, and revenge; memory, imagination, and belief; has a love for his father, brother, and child; has humanity, patriotism, and piety.

Now, with a single exception, it may be admitted that the negro has given evidence that he possesses, in a degree, the senses, susceptibilities, or emotions of which my colleague has given a catalogue; and yet I cannot permit him to persuade me that God, in His providence, has imparted to the African race to which our slaves belong, the same mental qualities or capacities that He has given to the white man of Europe and America. The exception to which I have alluded, is the emotion or sentiment of *patriotism*, as that feeling is understood by the citizen of our Republic, the Englishman, the Frenchman, or the German. I have never heard of a trait of character exhibited by an African tribe, or an individual of a tribe or of the race, which denoted the possession of that unselfish and exalted emotion; and there is reason to believe that no negro has yet felt the sentiment, unless it has recently been developed by some of those who now constitute the colony at Liberia, and who were liberated from bondage in our southern States on account of their good conduct and their capacity. If exemption from bondage, the example of the white race, and the capacity to read books, is only wanting to enkindle in the bosom of the negro the spark of patriotism and the love of his race and pride of nation-

ality, why is it that the Fred Douglasses who are found in the free States, do not come forward and aid in building up, in the country which God has assigned to their race, a free and intelligent nation? Why do these educated descendants of Africa linger in this land, in which even their best friends cannot and will not admit them to an equality, either social or political, instead of hastening to the aid of the handful of their brethren who are now toiling in Liberia for the redemption of the African race from the most abject barbarism, and the most stupid ignorance and idolatry?

It seems to me that a satisfactory solution to this inquiry can only be found in the fact that the Almighty, in his infinite wisdom, and for a good purpose, yet hidden to man, has closed the hearts of these favored sons of Africa to all those sublime emotions which are necessary to produce true patriots and pure statesmen—men who glory in advancing the happiness and intelligence of their countrymen and the good of the human race. Their hearts seem closed; and they exhibit no affection, no enthusiasm for the glorious enterprise which great and good men have opened to them in Africa. This alone, if there were no other facts, is a strong proof that there is a vast difference in the mental organization or capabilities of the negro and the white man.

Mr. President, in the discussion of the question of the equality of races, which my colleague, I believe, has been the first to introduce to the notice of the Senate, he seems to have volunteered his aid to our political Abolitionists with an alacrity which indicates his consciousness of great powers to defend his position. Without inquiring into the propriety or necessity of the discussion, at this time and in this place, I shall endeavor to show that there are established facts which prove the unsoundness of his views; but, in doing so, I cannot avoid feeling a kind of embarrassment produced by a comparison, unfavorable to myself, of the profound scientific, theological, and legal attainments of my colleague, with my own humble pretensions. It is known to the Senate that I am a plain, practical man, and have passed my public life here in practical legislation, entertaining and encouraging no doctrines nor opinions which are revolting to the instincts of honest common sense, or opposed to those deductions which are drawn from the truth of history. I must then oppose this common sense and those deductions to my colleague's scientific, theological, and legal researches.

In my limited historical reading I have failed to find any fact to sustain the opinions and belief of my colleague, that the negro race are created equal in powers of mind with the white. More than a thousand years before our barbarian ancestors received an impulse towards civilization by contact with the Romans, the negro of Africa had had the advantage of observing the most advanced and refined nations which then existed. He saw the learning and genius of Egypt, the refinement of Persia, the wisdom and glory of Greece and of Rome, long before the barbarous tribes of Britain, our ancestors, emerged from their darkness by aid of the light which was held up to them by the men born on the banks of the Tiber. For a time extending further back than is noted upon the historic page, the negro has beheld the light of civilization—but he has not

followed it; and in his native land, the tribes who have given slaves to Europe and America, are now what they have ever been. It would seem, indeed, that these tribes are the veritable descendants of Ham, cursed in his son Canaan by the Almighty, driven out from the presence of his father with the vengeance of God marked upon his brow, and doomed to be the servant of servants forever.

Mr. President, it is a truth that nature, in the munificence of her economy, withholds nothing from her children needful to their welfare; and we find that she has not bestowed upon the negro race a solitary historical character—not one. That race have had no poet to perpetuate their history—they have no history. The Greek, the Roman, the English, and many other nations, whose history can be traced back to barbarism and idolatry, have given to the world poets, statesmen, moralists, philosophers, mechanics, and inventors, whose labors are immortal. The black tribes of Africa have given nothing useful nor brilliant from the mental mine—and to this day they are the same stupid idolators that they were found to be when first visited by the Christian missionary; worshiping leaks, onions, snakes, and filthy insects, and looking upon the ourang-outang as the Jupiter of their lesser deities. The race has no history, except that of the providence of God, written by his servants, marking it out as the victim upon which the nations of the earth have alternately glutted their revenge and satiated their thirst for gain. At this time they are in a state of deeper degradation than any of the heathen nations of the earth. Without even the instincts of decency, they wander ungoverned, naked, and as filthy in their persons as the brute. This has been, and is now, their condition in their native country; and all the efforts of Christianity for their benefit and enlightenment have been abortive. No individuals of the race have advanced a single step from their degradation and darkness, except those who were placed in the condition now occupied by them in the southern States. Here the gospel of Christ is elevating his hopes and illuminating his soul. Thus much for the history of the race as I have read it.

My colleague having convinced himself of the mental equality of the negro and white man, appeals to the obligations of Christianity to protect the slave in his weakness. These obligations, in all their force, I recognize; nor will I seek any other authority for their exposition than the Lord Jesus Christ himself, and the great apostle of the Gentiles, who governed the church where slavery existed without any intermediate condition of servitude. Among the Romans the people were of two classes—freemen and slaves; and recognizing the condition of master and slave as the natural result of the imperfections of human government, (the incapacity of the slave inducing his subjection,) the apostle enforced these social relations before slavery was enacted by law. The Gospel interposes not to abolish the relation, but to clearly indicate the duty of the master. Paul, in one of his letters to the Corinthians, writes thus:

"Let every man abide in the same calling wherein he was called. Art thou called, being a servant, care not for it? but if thou mayest be made free, use it rather. For he that is

called in the Lord, being a servant, is the Lord's free-man: likewise also he that is called, being free, is Christ's servant."

And in the letter to the Ephesians:

"Servants, be obedient to them that are your masters according to the flesh, with fear and trembling, in singleness of your heart, as unto Christ; not with eye service, as men-pleasers, but as the servants of Christ, doing the will of God from the heart; with good will doing service, as to the Lord, and not to men; knowing that whatsoever good thing any man doeth, the same shall he receive of the Lord, whether he be bond or free. And, ye masters, do the same things unto them, forbearing threatening: knowing that your Master also is in heaven; neither is their respect of persons with him."

These are the commands of God's law by the servant and minister, and law interpreter of God himself, and are but two of many similar quotations which might be adduced. But, sir, I am not a theologian, and may not properly understand these plain admonitions of ecclesiastical law; yet they appear to be opposed to the doctrines and results which would flow from the views of my colleague on the equality of the races. If he means simply to condemn cruel masters, I will say to him that such men are abhorred by every Senator on this floor. Does he require that the negro shall have the benefit of religious instruction? I reply, nowhere have the descendants of the African race been led to the altar of Christianity so successfully as in the slave States: nowhere else, among the colored race, are the morals of Christianity held in such sacred regard as in those States.

Does my colleague mean to intimate that the political equality of the negro with the white man is conceded, or ever has been conceded, in the formation or during the continuance of this Government? If he does, I deny it—I deny that the Declaration of Independence teaches this equality. It is true, that instrument says that "all men are born free and equal." That declaration must be interpreted by its cotemporaneous history. It did not, even in these general terms, include the negro. The words cannot be tortured into that meaning if regard be had to the truth of history. The negro was at that time a slave in, I believe, every State. That same language is repeated in the Bill of Rights of nearly every State in the Union, where slavery then existed, and where it now exists. The slave trade itself was continued by the consent of the General Government for several years afterwards. This was the beginning of the *white* man's government. The *white* man protested against the usurpations of the parent Government—the *white* man rebelled against her authority—the *white* man triumphed over her power, and threw off her yoke—the *white* man made peace and formed the Constitution of the Government under which we live—and the *white* man has administered the Government from that day to this; and will my colleague, in the face of these facts, argue that the fathers of the Republic acknowledged the equality of the races? Whenever a negro or mulatto in time of war has risen above his condition as a slave, and has borne arms in the service of the country, he has been awarded or relieved by special legislation—

which more than implies that he was not included in the general legislation of the country.

But if my colleague would imply by his argument, or desire to have it believed, that negroes have a political equality, in any sense of the word, in Iowa, he does great injustice to the good sense and propriety of her citizens. By the constitution of the State, all negroes and mulattoes are excluded from the right of suffrage. The second article, on the right of suffrage, provides that "*white male citizens*" only shall be entitled to vote. And by the law of the State, chapter 130, it is provided that "every human being of sufficient capacity to understand the obligation of an oath is a competent witness in all cases, both civil and criminal, except as herein otherwise declared. But an Indian, a negro, a mulatto, or black person, shall not be allowed to give testimony in any cause wherein a white person is a party."

My colleague must be conversant with these provisions, and he must also be aware that it is against the law of Iowa for a free negro to come into the State. He ought to know, too, that these laws reflect the opinions of the people of the State at this time, for, during the session of the very Legislature by whose proceeding my colleague claims a seat in this body, an effort was made to repeal these provisions of law, but proved a most abortive failure. Even an anti-Nebraska-Abolition Legislature would not venture the repeal of what are called the black laws of the State. Though labor was in great demand, and domestics could scarcely be had at any price, an abolition Legislature, with all their unextinguishable fires of sympathy, would not allow negroes to emigrate to Iowa, or exercise the right of suffrage, or to even give testimony in a case where their most sacred rights might be involved, against a white man. Even my colleague's political friends, in the zenith of their power—in the heat of their zeal—in the first exercise of legislative benevolence—refused to grant the negro any political rights whatever; and they did deny to the whole race, by solemn acts of legislation, what my colleague has asserted in unequivocal terms—the equality of the black man and the white man. His own party has rejected his doctrine in his own State; and that the sentiments of the people of Iowa may not be misrepresented, I have trespassed upon the patience and time of the Senate to-day.

I will not attribute to my colleague a desire to establish by his argument a social equality between the black and white races: that would be shocking—loathsome. I am willing to accord to him all that is due to a gentleman occupying a seat on this floor, and give to his doctrine the most charitable construction of which it is susceptible. Nor do I wish to suppose that my colleague has assumed his present singular position from a desire to amuse himself and the Senate by what he may have conceived to be an innocent display of learning and research. Such recreation might prove to be the madman's leap for fame over Niagara's cataract, gnawing his fearful landing-place to be buried in the depths of its whirlpools.

It will not be expected of me, Mr. President, to defend the President of the United States from the attacks and censures of my colleague. My

feelings towards the President, I am proud to say, are of the most friendly and respectful kind; and they have been produced by a constant and impartial observance of his public career, from the time he occupied a seat, first in the other and then in this body, from 1835 up to this day.

His patriotism, integrity, firmness, and enlightened statesmanship, both as a law-maker upon the floors of Congress, and as Chief Magistrate of the Confederacy, are vindicated by his record, and he may proudly and confidently refer the charges heaped up against him by fanaticism and sectionalism to the verdict of his countrymen and of impartial history. His administration has been marked by the most serious trials and the most splendid triumphs; questions of diplomatic difficulty have been treated with a degree of wisdom, candor, and firmness which has placed the country, in all its controversies with other nations, in an impregnable position, defended by justice, self-respect, and moderation. Domestic embarrassments, arising out of sectional agitation, directed against the Constitution and against the equality of the States of the Union, and rendered more furious and determined by the attempt to return to constitutional and just principles in the enactment of the Nebraska-Kansas bill, have been met in the spirit of a bold and self-sacrificing patriotism. In the local disorders of Kansas, upon which my colleague and his confederates draw for all the material of their accusations, denunciations, and disrespectful imputations against the President, I find no act of his which is not preëminently marked by moderation and devotion to duty. It was his duty to remove the officer guilty of malfeasance. It was his duty to sustain the government which Congress had established for Kansas, against rebellion and insubordination, until it was superseded by State sovereignty legitimately inaugurated; but his efforts to this end have been marked by an earnest and philanthropic desire to restore peace and order by the moral force of the law, and thus avoid the bloodshed and anarchy which abolition aid societies and reverend panegyrists of Sharpe's rifles have labored unceasingly to precipitate. Sir, the facts acquit the President of every charge, and reflect imperishable honor upon his head and heart, while they fix infamously the infamy of attempting to incite civil and fratricidal war, and encouraging treason, upon those who denounce him.

Who, sir, has not known—and what patriot has not trembled in view of the fact—that the slightest misstep, one single imprudent act, one incautious word, might in a moment kindle into furious flames the insurrectionary spirit engendered in Kansas by Abolition agitators? Who has not known that the flames once kindled in Kansas would sweep eastward, fanned by the ravings of fanaticism, like the prairie-fire driven by the tornado, involving State after State in the struggle, in which the Union, its hallowed memories and its glorious mission, would be trampled under foot and drenched in blood?

And who, sir, has sought to avert the calamity? To whom is it due that there are as yet no battle-fields in Kansas, where Americans have offered up their lives, victims of the fell spirit of treason? Is it to those who have sent their emissaries throughout the North, summoning the fanatic to

arms by appeals to prejudice and passion? Is it to those who have derided the Union, treated with contempt the power of the Federal Government, and desecrated the pulpit by preaching the moral efficacy of Sharpe's rifles and gunpowder? Is it to those who ignore constitutions, and fan the belligerent spirit of their deluded followers by lessons in the "higher law"—placing the deadly rifle in their hands, and bidding them use it, in God's name and in the name of freedom? Is it, sir, to the moderation and patriotism of those who on this floor have derided and defied the power of the Government, and declared to their misguided partisans in Kansas, from this Senate Chamber, "that the first federal musket fired in defense of law in the Territory would echo through the valleys of the North, and kindle the beacon of battle upon every mountain?" Sir, are we indebted to these men that the law is still supreme in Kansas? Do we owe it to them that the fearful crisis has passed, and the Union has once more, as it did in 1850, survived the desperate and combined assaults of its domestic enemies, of every hue and color? No, sir; the country appreciates their efforts and designs at their just value; and it is the consciousness of this fact that has infused into their demonstrations so much implacable and revengeful hostility to the President. It is to him, sir, coöperating, as Chief Magistrate, in executing the will of Congress, and thwarting the designs of sectional agitators, that we owe the present peace and security. Had he yielded to the first premature demand for the assistance of United States troops—had he failed at the proper juncture to assume the responsibility, and interpose the Federal arm between the belligerents, with the determination to check insubordination, to punish lawlessness, and protect either party in their rights under the organic act—the designs of the agitators would have been accomplished in forcing the issues to the test of battle.

I believe, sir, that the patriotic and conservative men of all parties, in all the States, recognize the fact, that the policy of the President in regard to Kansas has been dictated by the most earnest desire to preserve peace, to do impartial justice, and to protect all from outrage and oppression. And I believe, sir, that while the Democratic party and the great mass of the conservative and thinking portion of the old Whig party have accepted, as republican and constitutional, the doctrine of popular sovereignty as enunciated in the Nebraska-Kansas bill, they are also ready to vindicate the conduct of the President in carrying out the law, and grateful to him for the prudence, firmness, and impartial justice with which he has arrested the dangers that threatened the Union, in the practical application of the principle in the Territory of Kansas; dangers, I repeat, resulting solely from the treasonable machinations of those who now so vehemently denounce him as their author. But, sir, let his countrymen judge between him and his accusers. The facts are before them, and they need no elucidation from me.

Mr. President, before I take my seat I would state that I am not a champion of slavery. I am in favor of precisely such a constitution as that of the State in which I have fixed my home, and where I should hope my grave will be made—a State of free white men. My choice has been

made from lessons of experience, obtained by a residence in a slave State—as the owner of slaves—and by a residence almost as long in Wisconsin and Iowa, where all our laborers and domestics are white men and white women, hired at a price agreed upon per week, month, or year. With slaves you may have your work done at less direct pecuniary outlay; but it will not be well done—while your mind will be constantly harassed by the cares of superintending. The white laborer is generally trustworthy, industrious and intelligent; and, as farmers and gardeners, I have usually found them capable of giving instead of requiring directions from me.

My former colleague, General A. C. Dodge, at the time when the Kansas and Nebraska bill was before the Senate, said, that were he a settler in Kansas he would use all his legal powers to make it a free State; but if outvoted he would submit without a murmur. This is my position—this I deem to be true Americanism—true Republicanism—true Democracy. If the people of Missouri, or of any other State have done wrong, I will make for them no apology or defense. If the full constitutional powers of the Executive of the Republic are to be called into exercise to maintain the law and preserve order, I will support the Executive by my vote here; and, should it become necessary, would shed my blood to transmit to my children, unimpaired, the glorious legacy left us by the fathers of the Revolution—the Union and the Constitution.

What, I may be permitted to ask, do my colleague and his coadjutors contemplate by their warfare on the Administration? Is this warfare one of the links in the concatenation of measures by which they mean to effect the abolition of the negro's bondage, and to turn loose upon our country the entire slave population of the southern States? If this be their object, let the intention be declared by my colleague, and thus place the issue honestly before the people of our State, and of the country.

Before I pass this subject, sir, permit me to call the attention of the Senate to the political consistency involved in this effort to magnify the evidences of the social, physical, mental, moral, and political equality of the races. The whole party who rallied to the support of my colleague in the Legislature of the State of Iowa were the self-styled American party. They urged that the foreign element of the country threatened to undermine the social system, and overthrow the civil Government; and for this alleged reason some of their most enlightened statesmen proposed such an amendment of the naturalization laws as would destroy the influence and votes of this foreign element. Without impugning their motives, or attempting to show the error of their proceeding, I have deemed it proper simply to allude to the fact, and leave it to the common sense of the people to contrast this proceeding and reasoning with the principles and opinions avowed by my colleague, and those who act with him upon this floor—opinions and principles indirectly, if not directly, tending to the turning loose upon society nearly four millions of uncultivated and helpless negroes—men, women, and children, who, according to the Abolitionists, are of all classes the most degraded by their present relations in life, and to legislating them into that political equality

which they would deny to the white emigrant. But, sir, I cannot persuade myself that the most ultra Abolitionist who ever occupied a seat in this Senate could be so infatuated by his feelings and prejudices as to desire the liberation of the slaves of the southern States, and be willing to meet the horrible consequences which would follow—consequences destructive to the peace and prosperity of the entire country, and which would involve the rapid and certain destruction of the black race, after, perhaps, a bloody, servile war, in which fertile and productive lands would be laid waste, towns and villages burned, and thousands of men, women, and children slaughtered.

But, Mr. President, there is one object plainly indicated by my colleague, as a motive for this hostility to the Administration, to the principle of self-government, secured to the people of the Territories by the Kansas-Nebraska act, and to the Democratic party—the supporters of that principle. The object is made plain by the following extract from his speech:

"The millions of hardy laborers of the North and Northwest, will not live in a slaveholding community. I need not answer why? A thousand reasons are on their tongues. To you it may seem the result of a sickly sentimentalism. To them their conclusions seem to be the result of the clearest reasoning, sustained by the strongest sense of moral duty. If, then, you establish slavery in the Territories, you exclude them from the enjoyment of this common heritage."

And a little further on he says:

"I am free to admit that I am one of the number practically excluded." "On a platform of equality, I have never been disposed to shrink from an honorable competition with the most favored in life's ever recurring conflicts; but, sir, I never will, by act or vote of mine, place myself in a condition to struggle for position in social life, with those whose slaves are the companions of my daily toils."

This idea, so horrible to my colleague, of laboring in a community where negroes are held in bondage, has made so strong a lodgment in his brain, that he declares that, rather than see his son placed in such a situation, he would "prefer to see his eyes plucked out and given to the eagles, and his heart snatched out and given to the vultures."

To me it seems passing strange that the profound philosophy, and varied learning, and learned professions of my colleague have all failed to eradicate from his mind prejudices so unfounded, so marked by ignorance, and which thousands of facts by which he is surrounded should obliterate. Why, sir, by a ride into the adjoining county of Fairfax, my colleague will learn that the stale and almost-worn-out slang of the Abolitionists about the degradation of free labor in Territories, by admitting slaves, has no foundation save in the fertile imaginations of Abolition demagogues. He will find in that county hundreds of farmers from the non-slaveholding States—from Pennsylvania, New Jersey, New York, and from the eastern States—intelligent, industrious, and highly respectable citizens, drawn there by the low price at which worn-out farms, with good dwellings and out-houses, could be purchased. By their superior knowledge of agriculture, they have revived the productiveness of their land and made them-

selves wealthy. Their work is performed by themselves and their sons; they own no slaves; and yet they are honored, respected, beloved; for, by their intelligence and industry, they have added greatly to the prosperity of the county—the price of old land having increased in price four-fold since they have shown how it could be made valuable. Not only in that county, but in every direction from this Capitol, my colleague can see, if he will but open his eyes, that his prejudices have no foundation; he will find the master and servant, the master's sons and his servants, working in the same field and performing the same kind of labor, feeling no degradation by doing so, and creating no disrespect in the eyes of their neighbors.

The object of the warfare, then, is to confine the master and the slave to worn-out lands, that the master may become eventually too poor to support the slave, who would gradually perish from want—that the master may lose his political power, and that the slave States may lose their political importance. This is the object—this the spirit in which Senators from slaveholding States are approached—this the respect shown to sister States—this the brotherly love—the national feeling—the republican magnanimity—exhibited by those who now oppose the Democratic party and the Administration! Did those brave and good men who by their blood secured our liberties, and by their purity and wisdom secured the safety of our country by forming the Union of the States—did these truly great men ever display the malignant spirit and feeling which now pervade the party and the men in whose ranks my colleague has taken his position? While the memory of Washington, of Marion, of Putnam, and Warren is cherished as the common property of all the States—while the blood of our revolutionary fathers is treasured in the nation's soil, let sectional feelings find no sympathy in an American Senator's bosom. Sir, if any Senator here wants the negroes freed, let him meet the question like a bold man—like Garrison and Gerrit Smith; let him not propose to starve out the slave population and degrade the States represented in this Senate by the patriotic and good men by whom I am surrounded. Let him propose the abolition of slavery directly, and not undermine the interests, the hopes, the homes, and the families of the citizens of the southern States.

I gave my vote for the Kansas-Nebraska bill because it left with the people of the Territories the right of self-government within the pale of the Constitution, and consequently the right to decide upon the question of admitting slaves; and I will give all the aid in my power to the President in his endeavors to vindicate the settlers' rights.

Much falsehood and exaggeration have been no doubt resorted to by the agents of the emigrant aid societies, in regard to the invasion, as it is called, of Kansas, by the "border ruffians" of Missouri. Sir, I have never felt any surprise at seeing large numbers of men from the counties of Missouri (adjacent to Kansas) hastening to that Territory immediately on its becoming accessible to settlers. Having lived for a number of years among the pioneers of the Northwest, I know their enterprise and their habits, and I know they are the first men who build cabins and turn

furrows in every new territory opened to the settler. When the soil of Iowa was first offered to the industry of the farmer or miner, it was instantaneously occupied by citizens who resided in Illinois, Missouri, and Wisconsin, most approximate to her borders. They hastened to the new land, for the purpose of examining it and selecting beautiful and eligible locations, either for farms, for mills, or for towns and villages. They were some months in advance of the land-seekers from the elder sisters of the Union; and when these latter came on, they had to take a second choice, or pay a liberal price for the claim of the pioneer. This same policy and these motives induced a vast number of men, young and old, to hasten from Missouri to Kansas; they went there to make and secure valuable claims, either to occupy themselves or to sell. Nor is it singular that many of these men, after they had made their selection, and made the usual improvement to secure them, returned to Missouri to pass the winter. The same process I have witnessed in the early settlement of Missouri, Michigan, Wisconsin, and Iowa, in all of which Territories I resided before their admission as States; and the same will be witnessed in the opening of every new Territory to the enterprise of our hardy and industrious citizens.

Permit me, sir, in my endeavor to sustain the right of the people of Kansas to decide for themselves this question of admitting slavery within their borders, and to be admitted into the Union with or without it, as they may elect, to quote the language of an old statesman—a man whose labors upon this floor the people have witnessed for thirty years—Colonel Benton. The quotation is made from a brief speech in the House of Representatives, during the last session, in reply to a member from Indiana. He says:

“The member from Indiana, then, proposes to resist the admission, if she has established slavery. This, in my opinion, will be resisting a right; holding, as I do, that the State will be entitled to admission—having the other requisites—with or without slavery, as she pleases; and this not by virtue of any act of Congress to that effect, nor even by virtue of the Constitution, but by virtue of a right anterior and superior both to Congress and the Constitution—I mean an inherent right of State sovereignty, possessed before the Constitution was made, not surrendered to the Federal Government when it was made, and therefore retained by the States.”

On the subject of interference by other States, for the purpose of controlling the affairs of Kansas, and the results of interference, the same aged statesman speaks thus:

“Mr. Chairman, there was crimination and re crimination the other day on this subject, between the member from Indiana and my colleague from the northwest district, [Mr. OLIVER.] The member from Indiana charged that citizens

of Missouri had crossed the line to vote in Kansas at the late delegate election; my colleague retorted that men had been sent there by emigrant societies in the East, to control the election. I believe both were about right; and as to this stimulated emigration, I had my opinion of it at the time it was announced, and made known that opinion to some members from the eastern States now present, and that it would produce precisely the effect that has been seen—rouse and exasperate the people of the Missouri frontier, and lead to the scenes which have occurred. Why did I think so? Because I knew something of human nature, and that foreign interference is a thing which it will not endure. Of this, Missouri has been once before a signal instance: At the time of the formation of her constitution, it was a question among the people whether the constitution should be express or silent on the subject of slavery. Foreign interference decided that question, and occasioned a clause to be introduced prohibiting the Legislature to emancipate slaves without the consent of their owners. I, an enemy to the extension of slavery, was a chief promoter of that clause; and why? Because foreigners, that is, citizens of other States, had interfered and agitated the country, and filled it with a great disturbance; and, for the sake of peace, and to prevent the annual recurrence of such agitations, I deemed it best (and that became the opinion of the convention) to cut up the evil by the root—to take the subject away from the Legislature—and consequently to exclude it from our elections; which was done. And the State, under that constitutional inhibition, had been free from the slavery agitation until carried there in the year 1849, and further inflamed by the events of the past year. I was not a member of the convention which framed the constitution, but promoted the anti-emancipation clause; and I mention my own case particularly that, being opposed to the extension of slavery, I yet instigated a provision against emancipation to prevent foreigners from coming to agitate us; and, I verily believe, if it had not been for that interference, the constitution would have been silent on the subject. This is one instance of the effect of foreign interference in the same State, and on the same subject; and what is now taking place on the western frontier of the State is only a new manifestation of the feeling which prevailed in the State in the year 1820. And such is human nature, and in all the relations of life, both as individuals and communities; a stranger cannot interfere in a family dispute without uniting the family against him, nor in a State dispute without uniting the State against him. What has happened, then, in Kansas, was obliged to happen, and was foreseen by some and deprecated at the time. I condemned that society emigration at the time; and there are members now present to whom I foretold its bad effects, such as have since been seen by everybody. If any emigrants came from the free States in the usual way, they would be kindly and respectfully received; but sent by societies for the purpose of governing elections, and they would meet with ill-will and opposition.”

I will now withdraw my motion to reconsider.

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